

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
FILE: 1:18 cv 52

**SHELBY LYNN CASH, and  
BETTY JOE CASH BAYNE,**

Plaintiffs,

VS.

- 1) **LEES-MCRAE COLLEGE, INCORPORATED;**
- 2) **JON DRIGGERS**, Dean of Students, Lees-McRae College, Incorporated, in his Official and Individual Capacities;
- 3) **JEFFREY MERRILL**, Title IX Coordinator & Director of Compliance, Lees-McRae College, Incorporated, in his Official and Individual Capacities;
- 4) **JOSH GAISSER**, Assistant Dean of Students for Residence Life, Lees-McRae College, Incorporated, in his Official and Individual Capacities;
- 5) **ANDREW TAYLOR**, Adjunct Instructor, Lees-McRae College, Incorporated, in his Official and Individual Capacities,

Defendants,

---

***UNOPPOSED MOTION FOR EXTENSION OF TIME***

NOW COMES Counsel for the Plaintiff herein, and hereby moves the Court for an Order extending the time within which he has to file his response to the Motion to Dismiss filed by the Defendants herein for an additional two weeks. In support of this Motion undersigned does offer and say:

1. The Plaintiff's response to said Motion is presently due on June 1, 2018;
2. Due to a family emergency, undersigned counsel has been on leave and is just now returning to work on a part-time basis;

3. Undersigned has been unable to properly review, research and prepare the required response within the time limits set by the Court. The inability of undersigned to complete said pleading is no fault of the Plaintiffs and is due to matters out of the control of counsel;
4. Pursuant to Local Rules, undersigned has consulted with opposing counsel about this request and said counsel has authorized undersigned to represent to the Court that they have no objection to this request;
5. The best interests of justice would be served by granting this Motion;
6. This Motion is not being made for any improper purpose or to occasion any unnecessary delay.

Wherefore undersigned prays the Court for an Order extending the time within which he has to file the Plaintiffs' Response to the Defendants' Motion to Dismiss for an additional two weeks, up to and including June 15, 2018.

Respectfully submitted this 31 day of May, 2018.

/s/

---

Stephen P. Lindsay  
46 Haywood Street  
Suite 200  
Asheville, NC 28801  
828-551-6446  
[spl@suttonlindsay.com](mailto:spl@suttonlindsay.com)  
NC Bar: 13017

#### CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of this Motion for Extension of Time on counsel for the opposing party through the CM/ECF Pacer filing system.

This the 31<sup>st</sup> day of May, 2018.

/s/

---

Stephen P. Lindsay  
46 Haywood Street  
Suite 200  
Asheville, NC 28801  
828-551-6446  
[spl@suttonlindsay.com](mailto:spl@suttonlindsay.com)  
NC Bar: 13017